

REMARKS

Claim Rejections

Claims 7, 11 and 12 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Blanchard et al. (U.S. 6,621,107 B2). Claims 8-10 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Drawings

It is noted that the Examiner has accepted the drawings as originally filed with this application.

Claim Amendments

By this Amendment, Applicant has amended claim 7 to obviate the objection set forth in the outstanding Office Action. It is believed that the amended claims now specifically set forth each element of Applicant's invention in full compliance with 35 U.S.C. § 112, and define subject matter that is patentably distinguishable over the cited prior art.

Claims 8-10 would be allowed if rewritten in independent form including all of the limitations of the basis claim and any intervening claims.

Applicant respectfully traverses the rejections of claims 7 and 11-12 as being unpatentable over Blanchard et al. as discussed below.

The structure of the device in Blanchard et al. significantly differs from that of the present Application. The Examiner combined layers used in Blanchard et al. during the manufacturing process with layers that remained when the process was complete to make Blanchard et al. read on the present invention. However, it is meaningless and improper to combine selected portions of the fabricating structures with the final structure thereof in a manner so as to negate the patentability of the claimed subject matter because the selected portion(s) might be partially removed or completely removed during the fabricating processes. For instance, on page 3 of the outstanding Office Action, to show that Blanchard et al. reads on claim 7, the

Examiner states "a first oxide layer 203 (FIG.6B) formed on said first surface". However, the first oxide layer (203) is not present in the final structure (FIG. 6F).

On page 3 of the outstanding Office Action, the Examiner states: "a second conductive type doped region 220 (Fig.7) formed into said epi layer of said first mesa region and said termination mesa region wherein said first mesa region and said termination mesa region are regions of said first surface having said first oxide layer (203/216) formed thereon".

In Figure 7 of Blanchard et al., it is obvious that over the p+ region (220) is a conductive layer (218), and not a oxide layer (203). By contrast, in the present invention, the p-region (108) is adjacent the first surface and have oxide layer (110) formed thereon.

Applicant submits that Blanchard et al. do not disclose, or suggest any modification of their specifically disclosed structures that would lead one having ordinary skill in the art to arrive at Applicant's claimed structure. Thus, it is not believed that Blanchard et al. render obvious Applicant's amended claims under 35 U.S.C. § 103.

Summary

In view of the foregoing, Applicant submits that this application is now in condition for allowance and such action is respectfully requested. Should the Examiner not be of the opinion that this case is in condition for allowance, it is requested that this amendment be entered for the purposes of appeal.

Should any points remain in issue, which the Examiner feels could best be resolved by either a personal or a telephone interview, it is urged that Applicant's local attorney be contacted at the exchange listed below.

Respectfully submitted,

Date: March 1, 2005

By:



Bruce H. Troxell
Reg. No. 26,592

TROXELL LAW OFFICE PLLC
5205 Louisbourg Pike, Suite 1404
Falls Church, Virginia 22041
Telephone: 703 575-2711
Telefax: 703 575-2707